

December 18, 2008

Dave Cowan
VP-Environmental Affairs First Wind
1 Dana Street, Floor 2
Portland, ME 04101

RE: Monitoring of Noise at Mars Hill Mountain Wind Farm

Dear Mr. Cowan:

The Department has reviewed the various materials submitted to it by First Wind concerning noise at the Mars Hill Wind Farm. These materials (all referenced as attachments to this letter) were prepared by RSE, Inc for First Wind and reviewed by Department staff and Warren Brown/EnRad under contract with the Department.

The Department requested technical assistance from Mr. Brown to assist with determining the following;

1. Whether the pre-development report is reasonable and technically correct according to standard engineering practices and the Department Regulations on Control of Noise (06-096 CMR 375.10) and;
2. Whether the post-development report is reasonable and technically correct according to standard engineering practices and the Department Regulations on Control of Noise (06-096 CMR 375.10) and;
3. Whether the reports provide a reasonable basis upon which to determine compliance or non-compliance with the operational noise limits set forth in the Control of Noise rules and the variance given in Department Order L-21635-26-A-N/L-21365-TG-B-N, dated June 1, 2004.

The Department considered four quarters of monitoring, a year-end summary, and additional information requests to assist with our compliance determination. As mentioned earlier in this letter, all this information, including Mr. Brown's recommendations, are attached by reference and provide the record on which this determination has been made.

The Department has concluded that the pre- and post-development reports, as well as the monitoring information collected over the past year, are technically correct and provide a reasonable basis to determine compliance of the facility. There is sufficient information with regard to the noise associated with the operation of the

wind towers under a range of conditions to make a compliance determination that also considers ambient wind conditions.

Based on that data, and in consultation with the Mr. Brown/EnRad, the Department has determined that the Mars Hill Wind Farm is currently in compliance with the Control of Noise rules and the variance given in Department Order L-21635-26-A-N/L-21365-TG-B-N, dated June 1, 2004. The Department recognizes that Mr. Brown found the data at monitoring location MP-8 to be up to 2 dBA over the allowed limit of 50 dBA for approximately 15% of the time. This 2 dBA exceedance is within what is an imperceptible change in noise level to the average person. These findings above the 50 dBA limit are a minor deviation from the compliance standard.

Thank you for your continued efforts with compliance at this site. At this time there are no further requirements for noise monitoring based on our findings in this letter. The Department appreciates your willingness to closely engage with the Department and the public during this monitoring process.

Please contact me if you have any further questions.

Sincerely,

Robin Clukey

Cc: Jim Cassida
Jeff Madore
Andrew Fisk
Nick Archer

Attachments:

Letter to Clukey Filing RSE Re Sound 06 21 07 FINAL2
Mars Hill Sound Study w Appendices - reduced file size
2nd Qtr Ops Sound Test Report-Nov 2 2007
pdf Letter to Clukey Filing RSE Q2 Sound 11 2 07 FINAL
RSE Letter to DEP re W Brown 2Q Peer Review
3Q Ops Sound Test Report – FINAL
Letter to Clukey Filing RSE Q3 Sound 041108
4Q Ops Sound Test Report – Final
Appendix III WT Power, Wind Speed and Dir
Appendix IV Time History Graphs for 4Q Shutdowns
APPENDIX V Hrly SL Results
APPENDIX VI
APPENDIX VII. Complete Time History Plots-A
APPENDIX VII. Complete Time History Plots-B
Letter to Clukey
image001
Reply to Questions re Mars Hill Sound Level Study
WT Sound Levels by Hour at MP-8
All Q Compilation Report -Final 10-15-08

Clukey All 4 Letter

Consulting Resume

Mars Hill Windfarm Post-Development 4th Quarter Review

Mars Hill Windfarm Post-Development Reviewed

Mars Hill Windfarm Post-Development Second-Quarter Review

Mars Hill Windfarm Post-Development Third-Quarter Review

Mars Hill Windfarm Predevelopment Study Peer Review Final

Mars Hill Windfarm Post-Development Quarterly Sound Level Assessment Compilation